

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHARLES A. NIEDERSTADT,

Plaintiff,

v.

No. 18-cv-0929 WJ/SMV

**SOUTHERN DEPARTMENT OF
CORRECTIONS OF NEW MEXICO
and STATE OF NEW MEXICO,**

Defendants.

ORDER EXTENDING CURE DEADLINE

THIS MATTER is before the Court on Plaintiff's Responses [Docs. 9, 10] to the Order to Cure Deficiency [Doc. 5] entered October 29, 2018. That Order fixed a deadline of November 28, 2018, for Plaintiff to submit a civil rights complaint on the proper form and prepay the \$400 filing fee. [Doc. 5]. Plaintiff contends he can only make the payment after he is released from prison on December 10, 2018. [Docs. 9, 10]. He also complains he never received a form § 1983 complaint. Based on these representations, the Court will extend the cure deadline to December 21, 2018, and direct the Clerk's Office to resend the form.

IT IS ORDERED that the deadline for Plaintiff to submit an amended complaint on the proper form and prepay the \$400 filing fee is extended through **December 21, 2018**.

IT IS FURTHER ORDERED that the Clerk's Office is directed to mail to Plaintiff, together with a copy of this Order, a form § 1983 civil rights complaint.



STEPHAN M. VIDMAR
United States Magistrate Judge